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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|-----------------------|------------------|
| 09/013,490 | 01/26/1998 | ALEXANDER S. TUZHILIN | 033053 - 475936-00049 | 3399 |

30873 7590 07/03/2007
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| EXAMINER |
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WINDER, PATRICE L

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| ART UNIT | PAPER NUMBER |
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2145

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| MAIL DATE | DELIVERY MODE |
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07/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/013,490 | TUZHILIN ET AL. | |
| | Examiner | Art Unit | |
| | Patrice Winder | 2145 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 89-135 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 89-135 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on March 23, 2007 has been entered:

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 89-90, 108-109, 127 and 130 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant's specification distinguishes between the concept of "rules" and "executable instructions" in the

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description of Applicant's invention found on pages 9-10. According to Applicant's specification the "rules", not "executable instructions" are transmitted to a first processing agent from a second processing agent. The first processing agent then translates the rules into "executable instructions".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 89-135 are rejected under 35 U.S.C. 102(e) as being anticipated by Chow et al., USPN 6,029,175 (hereafter referred to as Chow).

6. Regarding claim 89, Chow taught a computer accessible medium including a plurality of executable instructions which, when executed on a first processing arrangement, configure the first processing arrangement to perform at least one of a monitoring operation or a search operation (column 4, lines 65-67; column 5, lines 1-5) by performing procedures comprising:

receiving a plurality of executable instructions by the first processing arrangement from a second processing arrangement (column 24, lines 40-46; column 26, lines 40-60);

executing at least one of the executable instructions by the first processing arrangement, wherein the execution of the at least one of the executable instructions performs at least one operation which is at least one of the monitoring operation or the search operation (column 29, lines 50-59); and

providing at least a portion of a result of the at least one operation from the first processing arrangement to the second processing arrangement (column 31, lines 7-23).

7. Regarding claim 108, Chow taught computer accessible medium including a plurality of executable instructions which, when executed on a first processing arrangement, configure the first processing arrangement to cause a second processing arrangement to perform at least one of a monitoring operation or a search operation (column 4, lines 65-67; column 5, lines 1-5) by performing procedures comprising:

transmitting a plurality of executable instructions from the first processing arrangement to a second processing arrangement causing an execution of at least one of the executable instructions by the second processing arrangement, wherein the execution of the at least one of the executable instructions performs at least one operation which is at least one of the monitoring operation or the search operation (column 29, lines 50-59); and

causing at least a portion of results of the at least one operation to be provided from the second processing arrangement to the first processing arrangement (column 31, lines 7-23).

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8. Regarding claim 127, Chow taught a computer system to perform at least one of a monitoring operation or a search operation on a network accessible information (column 4, lines 65-67; column 5, lines 1-5), comprising:

at least one computer accessible medium including thereon at least one module, wherein, when a processing arrangement executes the at least one module, the processing arrangement is configured to:

(i) transmit a plurality of executable instructions from at least one first site provided on a network to at least one second site provided on the network (column 24, lines 40-46; column 26, lines 40-60);

(ii) execute at least one of the executable instructions to perform at least one operation which is at least one of the monitoring operation or the search operation on at least one third site on the network (column 29, lines 50-59), and

(iii) providing at least a portion of results of the at least one operation from the at least one second site to the at least one first site (column 31, lines 7-23).

9. Regarding claim 128, Chow taught a computer accessible medium including a plurality of executable instructions which, when executed on a first processing arrangement, configure the first processing arrangement to perform at least one of a monitoring operation or a search operation (column 4, lines 65-67; column 5, lines 1-5) by performing procedures comprising:

receiving at least one criterion to be used for execution with a plurality of executable instructions at the first processing arrangement (column 24, lines 40-46; column 26, lines 40-60);

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executing at least one of the executable instructions as a function of the at least one criterion by the first processing arrangement, wherein the execution of the at least one of the executable instructions performs at least one operation which is at least one of the monitoring operation or the search operation (column 29, lines 50-59), and wherein the at least one operation utilizes at least one of a temporal criterion, a reach relation or a conditional probing action (column 32, lines 59-67; column 33, lines 1-6) and

providing at least a portion of a result of the at least one operation to a second processing arrangement for further processing (column 31, lines 7-23).

10. Regarding dependent claims 90, 109, 130, Chow taught the first processing arrangement is provided within a network and receives the executable instructions from the second processing arrangement via the network (column 23, lines 8-14).

11. Regarding dependent claims 91, 110, Chow taught the first processing arrangement provides the portion of the results to the second processing arrangement via a network (column 30, lines 60-64).

12. Regarding dependent claims 92, 111, Chow taught the first processing arrangement executes a plurality of the executable instructions (column 9, lines 38-40, 45-51).

13. Regarding dependent claims 93, 112, Chow taught the first processing arrangement executes the at least one of the executable instructions to perform the at least one operation within a network to which the first and second processing arrangements are connected (column 29, lines 53-67).

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14. Regarding dependent claims 94, 113, Chow taught the network includes the Internet and a plurality of websites associated therewith (column 22, lines 13-16; column 36, line 66).

15. Regarding dependent claims 95, 114, Chow taught the first and second processing arrangements are external to a network (Revision Managers 302, 303 and clients 307-312 are external to global network 304, column 23, lines 21-27).

16. Regarding dependent claims 96, 115, Chow taught the at least one operation is performed based on at least one predetermined criterion (column 29, lines 11-19; column 33, lines 13-20).

17. Regarding dependent claims 97, 116, Chow taught the at least one predetermined criterion includes at least one temporal condition (column 32, lines 59-67; column 33, lines 1-6).

18. Regarding dependent claims 98, 117, Chow taught the first processing arrangement executes the at least one of the executable instructions to perform the at least one operation on a network to which the first and second processing arrangements are connected (column 29, lines 53-67), and wherein the at least one predetermined criterion that includes the at least one temporal condition relates to a change in a content of information of at least one node residing on the network, the change in the content being between a plurality of points in time (column 34, lines 16-31).

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19. Regarding dependent claims 99, 118, Chow taught the change in the content is a change in the content of one or more web pages of at least one website provided on the network (column 37, lines 27-42).

20. Regarding dependent claims 100, 119, Chow taught the at least one predetermined criterion that includes that the at least one temporal condition is associated with a collection and a storage of first information at a first point in time and a comparison of the first information with a second information obtained at one or more second points in time (column 32, lines 33-49).

21. Regarding dependent claims 101, 120, Chow taught the at least one predetermined criterion includes an indication of at least one relationship between content of a plurality of sites on a network to which the first and second processing arrangements are connected (column 37, lines 37-42).

22. Regarding dependent claims 102, 121, Chow taught the executable instructions contain one or more executable modules which, when executed by the first processing arrangement, configure the first processing arrangement to perform the at least one operation (column 26, lines 49-60).

23. Regarding dependent claims 103, 122, Chow taught the execution of the at least one of the executable instructions generates at least one agent running on at least one of the first processing arrangement or the second processing arrangements (column 26, lines 49-60).

24. Regarding dependent claims 104, 123, Chow taught the execution of the at least one of the executable instructions performs a further operation which performs the at

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least one operation on at least one further processing arrangement (column 29, lines 48-59).

25. Regarding dependent claims 105, 124, Chow taught the at least one operation monitors for at least one of:

(a) appearance or disappearance of one or more links, (b) appearance or disappearance of one or more keywords on a page, (c) a modification of at least one of a text or an attribute of the page, and (d) a particular number of visitors on a website (column 32, lines 41-58).

26. Regarding dependent claims 106, 125, Chow taught the at least portion is provided only for the results that changed from a prior result (column 30, lines 50-57).

27. Regarding dependent claims 107, 126, Chow taught the executable instructions are retransmitted to the first processing arrangement from the second processing arrangement (column 26, lines 40-48) if the at least one operation terminates prior to a completion of a task associated with the at least one operation (termination prior to completion of task = Revision Manager failure, column 22, lines 65-67; column 23, lines 1-3).

28. Regarding dependent claim 131, Chow taught the at least one criterion is received at the first processing arrangement from the second processing arrangement (column 26, lines 49-60; column 28, lines 19-22).

29. Regarding dependent claim 132, Chow taught the temporal criterion is unary past temporal operator (column 34, lines 23-35).

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30. Regarding dependent claim 133, Chow taught the unary past temporal operator is at least one of an Always_In_Past operator, a Sometimes In Past operator, a Sometimes_Within_Past operator or a Always_Within_Past operator (updates Sometimes_Within_Past, column 34, lines 23-35).

31. Regarding dependent claim 134, Chow taught the temporal operator is a binary temporal operator (column 34, lines 36-50).

32. Regarding dependent claim 135, Chow taught the binary temporal operator is a Since operator (Since last update, column 34, lines 36-50).

Conclusion

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

34. Ball et al., USPN 5,860,071: taught a system for identifying is a document linked from a based document has changed over time;

35. Christianson et al., USPN 6,085,186: taught an invention for routing a user query to information sources relevant to that query in a netbot; and

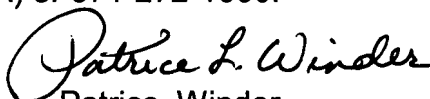
36. Ball et al., USPN 6,366,933 B1: taught a system for specifying documents of interest and tracking changes to the documents of interest over time.

37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Patrice Winder
Primary Examiner
Art Unit 2145

June 24, 2007